



87786AEK  
Customer No. 01333

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Zbyslaw R. Owczarczyk, et al

ORGANIC ELEMENT FOR  
ELECTROLUMINESCENT DEVICES

Serial No. 10/813,833

Filed 31 March 2004

Group Art Unit: 1774

Examiner: Dawn L. Garrett

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Deidra L. Mack  
Deidra L. Mack

November 9, 2006  
Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT AND  
STATEMENT OF COMMON OWNERSHIP**

The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of all the prior patents (including applications) listed on Attachment A hereto. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any of the prior patents, as presently shortened by any terminal disclaimer, in the event that a prior patent hereafter: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37

CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

**STATEMENT OF COMMON OWNERSHIP**

Applicants' attorney hereby represents that the present application and the cited Patents (including applications on Attachment A) were, at the time this invention was made, owned by or subject to an obligation of assignment to, the same person.

The undersigned is an attorney of record. (If this box is not checked do not use this form)

Nov. 9, 2006

Date  
Telephone: 585-477-2625  
Facsimile: 585-477-1148  
/dlm



Arthur E. Kluegel  
Attorney of Record  
Registration No. 25,518

Please charge the fee to Eastman Kodak Company Deposit  
Account 05-0225. (A duplicate copy of this request is enclosed)

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.



**ATTACHMENT A TO TERMINAL DISCLAIMER**  
**for Serial No. 10/813,833**

**I. PRIOR PATENTS**

<u>U.S. Patent No.</u>	<u>Issued</u>	<u>Filed</u>
6,661,023	12/09/2003	06/27/2002
7,033,681	04/25/2006	03/18/2004

**II. PRIOR PENDING APPLICATIONS**

<u>Serial No.</u>	<u>Filing Date</u>
10/889,654	07/12/2004
10/768,327	01/30/2004